

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

IN RE:)
)
MILLENNIUM MULTIPLE EMPLOYER) Chapter 11
WELFARE BENEFIT PLAN,) (W.D. Okla. Bankruptcy--
) Case No. 10-13528)
Debtor,)
)
-----)
GARY A. PASSONS, M.D., *et al.*)
)
Plaintiffs,)
)
v.) Case No. 3:10-00575
) Judge Campbell
AVIVA LIFE AND ANNUITY)
COMPANY, f/k/a INDIANAPOLIS)
LIFE INSURANCE COMPANY, *et al.*)
)
Defendants.)

ORDER

For the reasons set forth in the accompanying Memorandum, the Court hereby rules as follows:

- (1) Plaintiffs' Motion to Remand and Abstain (Docket Entry No. 139) is DENIED;
- (2) Plaintiffs' Motion to Sever Claims Against the Millennium Multiple Employer Welfare Benefit Plan (Docket No. 141) is DENIED;
- (3) Defendant Aviva Life and Annuity Company's Motion to Transfer Venue of Removed Case to Court Administering Debtor's Chapter 11 Bankruptcy Case (Docket No. 136) is GRANTED; and
- (4) This case is hereby TRANSFERRED to the United States District Court for the Western District of Oklahoma for the purpose of referring the action to the United States Bankruptcy Court

for the Western District of Oklahoma.¹

It is SO ORDERED.

Todd Campbell

Todd Campbell
United States District Judge

¹The Court specifically declines to rule on Plaintiffs' Motion for Voluntary Dismissal (Docket No. 164), being of the view that the Motion can best be addressed in the context of Millennium's bankruptcy proceedings.